

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE
COMMISSION,** **Plaintiff,**
v.
MICHAEL L. COHEN and
VANJA BAROS, **Defendants.**

Civ. Action # 17-CV-00430-NGG-LB

JOINT REPORT OF RULE 26(f) DISCOVERY PLAN

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the parties hereby submit their Joint Report, including their proposed pre-trial schedule for the conduct of discovery. The parties' Rule 26(f) Meeting Report is submitted herewith.

A. Initial Disclosures.

The parties are exchanging Rule 26(a) disclosures contemporaneously with the filing of this joint report, pursuant to the Court's March 15, 2017 scheduling order. The parties have not proposed any changes to the form or requirements for disclosures under Rule 26(a).

B. Subjects of Discovery and Proposed Schedule.

The parties agree that the subjects of discovery will include the transactions alleged in the Complaint and documents obtained by the Securities and Exchange Commission in the course of its investigation(s) concerning those claims, and the Commission has begun production of those documents (approximately 33 million pages produced to date). The parties agree to discuss additional subjects for discovery after the exchange of Rule 26(a) disclosures and further review of discovery documents.

The parties have conferred on a discovery schedule and jointly propose the following schedule:

- Fact discovery deadline: 18 months following the issuance of the Court's decision on the Defendants' Motions to Dismiss. The parties agree to revisit this deadline if problems with international discovery arise;
- Expert discovery deadline: 6 months following completion of fact discovery;
- Pre-motion conference request deadline: To be determined.

C. Electronic Discovery.

The parties are aware of their obligations to preserve electronic discovery. The Commission has already produced to Defendants a substantial number of documents and the parties are working cooperatively to share data in the format(s) desired by each party. The parties will continue to discuss the scope of electronic discovery.

D. Privilege Issues.

The Court has already entered a protective order. The parties anticipate that any further issues about claims of privilege or protection as trial-preparation materials will be better determined following a review of discovery documents produced by each side.

E. Changes to Limitations on Discovery.

The parties anticipate that they may need to exceed the default limitations on discovery, including the limit of ten depositions. The parties agree that the amount by which they may need to exceed the default discovery limitations will be better determined following the resolution of the Defendants' Motions to Dismiss and a review of discovery documents produced by each

side. The parties agree that depositions will not begin until the Motions to Dismiss are resolved and that the number of depositions will be determined between the parties at that time.

F. Other Discovery Orders.

The Court has already entered a protective order. The parties agree that no other orders under Rule 26(c) or Rule 16(b) or (c) should issue at this time.

Dated: April 27, 2017

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION

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